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JIMMY PARRA
Legal Advocate

SARAH WILLIAMS
Staff Attorney



October 14, 2014

SUBJECT: FOIA REQUEST

Submitted Electronically

To Whom It May Concern:

Pursuant to the Freedom of Information Act, 5 U.S.C. 552, as amended, and the pertinent Environmental Protection Agency ("EPA") regulations, 40 C.F.R. § 2.100, et seq., Midwest Environmental Advocates requests that the following documents be produced:

- (1) all documents related to the drafting, proposal, or finalization of Wisconsin Pollutant Discharge Elimination System ("WPDES") Permits
- (2) all communication between the Wisconsin Department of Natural Resources and the Environmental Protection Agency concerning draft, proposed, or final Wisconsin Pollutant Discharge Elimination System ("WPDES") Permits

Please produce all records described above that were prepared, revised, transmitted dated or received at any time within the last five years prior to the date of this FOIA request.

This request includes all documents that have ever been within your custody or control and all internal or other documents, correspondence, emails and records of phone calls relating to the permits; whether produced by or submitted to the EPA.

For any documents that you block from release due to specific exemption(s) from the requirements of the Freedom of Information Act, please provide an index itemizing and describing the documents or portions of documents withheld. The index should provide a detailed justification for claiming a particular exemption that explains why each such exemption applies to the document or portion of a document withheld. *Vaughn v. Rosen*, 484 F.2d 820, 826-28 (D.C. Cir. 1973) cert. denied, 415 U.S. 977 (1974).

Should you have any questions about this FOIA request, please contact me by phone at 608-251-5047 ext. 9 (weekday mornings only) or by email at defender@midwestadvocates.org

Sincerely,

Laura Bachmann
Law Clerk

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Fee Waiver Request

1. A clear statement whether subject of the requested records concerns "the operations or activities of the government."

The subject of the requested records concerns the operations or activities of the US Environmental Protection Agency. Specifically, the request concerns any records related to the drafting, proposal, or finalization of Wisconsin Pollutant Discharge Elimination System ("WPDES") permits and of communication between the USEPA and the Wisconsin Department of Natural Resources regarding the drafting, proposing, or approving of WPDES permits, made over the last five years prior to this request.

2. Whether the disclosure is "likely to contribute" to an understanding of government operations or activities.

The disclosure is likely to contribute to an understanding of government operations or activities. The nature of the information requested will directly improve understanding of the relationship between the USEPA and WDNR and the roll, authority, and contributions of the USEPA to maintaining clean water.

3. The contribution to an understanding of the subject by the public is likely to result from disclosure: Whether disclosure of the requested information will contribute to "public understanding."

This disclosure will contribute to public understanding because we are a non-profit working to improve the public's understanding of environmental issues. We provide free legal aid and publish information re environmental issues in Wisconsin. We also do extensive work with the Clean Water Act, to ensure access to safe water. Citizens frequently contact us for help and information.

4. The significance of the contribution to public understanding: Whether the disclosure is likely to contribute "significantly" to public understanding of government operations or activities.

The contribution to public understanding will be significant. Clean water is essential to ensure public health and wellness. Without access to information, the public cannot direct their complaint to the proper party, or seek assistance to solve clean water problems, because without the information requested, they can't know the source of the problems.

5. The existence and magnitude of a commercial interest: Whether the requester has a commercial interest that would be furthered by the requested disclosure.

We are a registered Wisconsin Nonprofit organization and have no commercial interests that would be furthered by the requested disclosure.

6. The primary interest in disclosure.

We are primarily interested in this information for the purposes of our work on Clean Water Act enforcement in Wisconsin, and advocacy for citizens affected by poor water quality.

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